

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

MICHAEL BUONPASTORE,

Plaintiff(s),

vs.

CAROLYN W. COLVIN, ACTING  
 COMMISSIONER OF SOCIAL SECURITY,

Defendant(s).

Case No. 2:16-cv-00070-GMN-NJK

ORDER

This case involves judicial review of administrative action by the Commissioner of Social Security (“Commissioner”). The social security claimant was Michael Cetta, who died shortly after this appeal was filed. Docket No. 17. Mr. Cetta was replaced as Plaintiff by his widower, Michael Buonpastore. *See* Docket No. 19. Following Mr. Buonpastore’s substitution as a party in this case, the parties submitted a stipulated briefing schedule by which the motion for reversal and/or remand was due by May 19, 2016. Docket No. 20. The Court adopted that briefing schedule. Docket No. 21. No such motion was filed, however, and instead Mr. Buonpastore filed an application to proceed *in forma pauperis*. Docket No. 22. The Court denied that application as moot and extended the deadline to file the motion for reversal and/or remand to July 1, 2016. Docket No. 23. Mr. Buonpastore then submitted a document consisting of a few lines indicating that his husband’s social security disability claim was improperly denied based on the “MedBe rule.” Docket No. 26, 27.

On August 2, 2016, the Court held a hearing at which it explained to Mr. Buonpastore the requirements for filing a motion and denied without prejudice his prior filings. *See* Docket No. 31. The

1 Court further encouraged Mr. Buonpastore to make an appointment with the Ask-A-Lawyer Program  
2 set for October 2016, and again extended the deadline to file a proper the motion for reversal and/or  
3 remand to November 28, 2016. *Id.* To date, no such motion was filed. It also appeared that the parties  
4 may have been interested in exploring the possibility of settling this case. *See id.* The Court has not  
5 received any notification that a settlement has or has not been reached.

6 The Court hereby **ORDERS** the parties to file, by December 16, 2016, a joint status report  
7 regarding (1) the status of settlement discussions and (2) the status of Mr. Buonpastore's filing of a  
8 motion to reverse and/or remand.

9 IT IS SO ORDERED.

10 DATED: December 2, 2016

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NANCY J. KOPPE  
United States Magistrate Judge  
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